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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
(1) APPROXIMATELY \$29,900 IN)
UNITED STATES CURRENCY AND)
(2) APPROXIMATELY \$21,000 IN)
UNITED STATES CURRENCY,)
)
Defendants.)

No. 07-2755 JL

STIPULATION AND ORDER RE:
RESCHEDULING THE CASE
MANAGEMENT CONFERENCE
SET FOR FEBRUARY 13, 2007

GREGORY BLANK and)
DAVID TENNENBAUM,)
)
Claimants.)

The parties agree, subject to the Court's approval, that the case management conference currently scheduled for February 13, 2008 at 10:30 a.m. be rescheduled in four months on or about June 18, 2008. In this civil forfeiture action, the United States is represented by Assistant United States Attorney Patricia J. Kenney and claimants Gregory Blank and David Tennenbaum are represented by Stuart Hanlon and Sara Rief. On August 10, 2007, claimants filed their

claims. The Court held a case management conference was held on October 10, 2007 which included the government's plan for discovery.

There are a couple reasons for the request. Claimants' counsel has learned that claimant Gregory Blank died last week and claimant's counsel needs additional time to determine whether his claim survived and, if so, to whom it belongs and what documentation is necessary to substitute a new party as claimant. Claimant's counsel also plans to file a suggestion of death on the record in accordance with Rule 25(a), Federal Rules of Civil Procedure. Further, because of an unanticipated medical leave from November 16 through January 22, 2008 due to surgery, the undersigned Assistant United States Attorney has yet to promulgate needed discovery. Finally, the parties are exploring whether a settlement of this case is possible. Accordingly, the parties request the Court to reschedule the case management conference in June of 2008.

IT IS SO STIPULATED:

Dated: January 31, 2008

/s/
 PATRICIA KENNEY
 Assistant United States Attorney

Dated: January 31, 2008

/s/
 STUART HANLON
 SARA RIEF
 Attorneys for claimants
 Gregory Blank and David Tennenbaum

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED ON THIS _____ DAY OF _____, 2008.

HONORABLE JAMES LARSON
 United States Magistrate Judge

Stipulation & Order
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